

Mr. Chairman Van Dyk
And Committee Members

EXHIBIT 3
DATE 1-8-09
HB 63

My name is Larry DiLulo and I have trapped since 1976 and have been a active fur dealer since 1981. I am currently the Fur Manager for Pacific Hide and Fur. In the past 28 years of being a Fur Dealer in the state of Montana I have never been issued a ticket or even a warning for my record keeping while at Pacific or when I was running my own business, Thunder Mountain Fur Company for 7 years, prior to Pacific buying my business. I also hold Fur Dealer Licenses

in Nevada ,Idaho , Utah, Oregon and Wyoming. As in Montana, there has been no problems with my record keeping meeting each states requirements. I would now like to address some sections of HB63 that I feel place undue burdens on Fur Dealers.

Section 2 (1)-(b)

The Department of Fish, Wildlife, and Parks already requires trappers to report the location of harvest of Bobcat, Wolverine, and Otter at the time pelt tagging. The trapper also must call in harvest of above furbearers with 24 hours. The Department now has the location where the animal was harvested, I do not. In the 28 years I have been a Fur Dealer I have not been furnished with that information by the Department, so how can I comply with that regulation? These animals require a Federal Cites numbered tag to buy and sell. The tag is attached to the pelt by a Montana Game Warden after he or she has collected all location information from the trapper. When the trapper sells that tagged pelt to me, that tag number is written on my fur purchase ticket. Why is it required for me to have the location of harvest when the Department already has it?

As to non-Cites animals I am confused as to why the Department needs location of harvest. Do they want to know if a 12 year old trapped a raccoon in a haystack or a rancher shot a fox in the chicken house? When you ask a land owner where he shot that coyote and he says "in the back 40" is that a location the Department will accept? I feel, name , address and tag number, if a Cites animal ,is all that should be required of a Fur Dealer to record at time of purchase. That is how it has always been.

How can the Montana Department of Fish ,Wildlife, and Parks regulate other states trappers? How do we as Montana Fur Dealers get harvest locations when we buy fur at out of state fur auctions or from trappers in states that do not require location of harvest for non-Cites animals? This is almost impossible to comply with. When at an auction, one does not know who the trapper or hunter is, there is only a lot number on the group of fur one bids on. The Auction does not furnish Buyers with Sellers names and addresses. When pelts are purchased out of state they are recorded on a Fur ticket the same as if they were purchased in Montana. The Department can check the record of purchase for name, town and state, I do not see

the need for location of harvest.

Section 5 Penalties

What does the part mean, AFTER OPPORTUNITY TO BE HEARD , in the wording of this section mean? Hopefully it does not mean the Department is Judge and Jury. The Department may bring charges against a Fur Dealer but we all have a right in court before judgement can be passed.

Section 6 Rulemaking

I do not believe any Government body should be given the authority to make laws or regulations as they see fit. The Department of Fish, Wildlife and Parks is no exception. The Department needs to go through the Legislature just as it is doing now, so citizens can comment on these regulations.

In summation, I would like to request this committee to delete Section 2 (1) (b). All vital information is contained in (a),(c)and (d) of this section and I feel they provide all the information the Department needs.

Section 5 should be deleted because the Department cannot be judge and jury without due process.

Section 6 should be deleted because no Government body should have the authority to make laws without going through the Legislative process.

Section 7 should be deleted because how can you code regulations and laws that have not been made yet ?

I would like to thank the committee for their time and consideration on my requests toward this bill.

Larry B DiLulo

